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Atty. Docket No.: BSC-011

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Crowley

SERIAL NUMBER: 08/922,263 GROUP NUMBER: 3736

FILING DATE: September 2, 1997 EXAMINER: D. Shay

TITLE: INTERVENTIONAL PHOTONIC ENERGY EMITTER
SYSTEM**RESPONSE TO RESTRICTION REQUIREMENT**

This paper is responsive to the Office Action mailed from the Patent Office on October 2, 1998. The shortened statutory period for response expires on November 1, 1998.

The Office Action indicates that a restriction to one of the following claim groups is required: (I) claims 1-17, 20-30, 32-44, and 47-50; (II) claims 18 and 19; (III) claims 31 and 51; and (IV) claims 45 and 46. Applicant hereby elects claim group I (i.e., claims 1-17, 20-30, 32-44 and 47-50) with traverse. Applicant submits that the restriction is improper and should be withdrawn because a search of any one of the claim groups would necessarily include a search in the classes and subclasses relevant to each of the other claim groups.

Applicant requests reconsideration of the requirement for restriction and examination of all claims (i.e., claims 1-51).

Respectfully submitted,

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